

BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA
DOCKET NO. 2020- -T

IN RE:	Petition of the Office of Regulatory Staff to Revoke Certificates of Public Convenience and Necessity of Certain Motor Carriers for Non-Payment of Decal Fees)))))))	PETITION FOR REVOCATION OF CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY OF CERTAIN MOTOR CARRIERS
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The South Carolina Office of Regulatory Staff (“ORS”), by filing this petition, would respectfully show and request of the Public Service Commission of South Carolina (“Commission”):

1. That the Commission is a state agency constituted pursuant to the laws of the State of South Carolina with its business offices located in Columbia, South Carolina; that the Commission is responsible for the regulation of motor vehicle carriers operating for compensation as set forth in S.C. Code Ann. § 58-23-10 *et seq.* (2015 and Supp. 2015); that ORS is charged with the duty to protect the public interest pursuant to S.C. Code Ann. § 58-4-10 *et seq.* (2015 and Supp. 2015).

2. That the companies listed in Exhibit A have been approved by the Commission and certified by the ORS to operate as “motor vehicle carriers” as defined in S.C. Code Ann. § 58-23-10(4) (2015) in that they own, control, operate, or manage motor propelled vehicles, not usually operated on or over rails, used in the business of transporting persons or property for compensation over improved public highways in this state.

3. That the companies listed in Exhibit A, each having applied for and having an Order from the Commission to receive a Certificate of Public Convenience and Necessity (“PC&N”) to operate a motor vehicle carrier as defined in S.C. Code Ann. § 58-23-10(4) (2015), have submitted to the jurisdiction of the Commission by holding said Certificate PC&N, and are therefore subject to the jurisdiction of this

Commission pursuant to S.C. Code Ann. § 58-23-1010 *et seq.* (2015 and Supp. 2015). See Exhibit A, Carriers Out of Compliance for Non-Payment of Decal Fees.

4. That the companies listed in Exhibit A, prior to receiving their Certificate of PC&N, were each found to be fit, willing and able to operate as a motor carrier by the Commission; from our understanding that in obtaining such authority the companies certified they are “familiar with all statutes and regulations, including safety regulations, governing for-hire motor carrier operations in South Carolina and agree to operate in compliance with these statutes and regulations.” 10 S.C. Code Ann. Regs. 103-133(4)(a) (2012).

5. That, “[a] holder of a certificate A, B, or C with less than twenty vehicles must semiannually **on or before January first and July first of each year** pay to the Office of Regulatory Staff the following fees: for vehicles weighing not more than two thousand pounds, seven dollars and fifty cents; and for vehicles weighing in excess of two thousand pounds, seven dollars and fifty cents for the first two thousand pounds and two dollars and fifty cents additional for each additional five hundred pounds or part thereof of weight, except that the total license fee may not exceed fifty dollars per vehicle semiannually.” S.C. Code Ann. § 58-23-560 (2015) (emphasis added).

6. That, pursuant to S.C. Code Ann. § 58-4-10 *et seq.* (2015 and Supp. 2015), beginning January 1, 2005, ORS must represent the public interest of South Carolina before the Commission and has authority to enforce collection of such fees.

7. That the companies listed in Exhibit A are subject to the fees listed in S. C. Code Ann. § 58-23-560 (2015) and have failed to pay fees that were due on or before January 1, 2020, and therefore, are not in compliance with Commission statutes governing the regulation of motor carriers. See Exhibit B, Affidavit of Carole Chauvin.

8. That “[t]he commission may at any time, after notice and opportunity to be heard, suspend, revoke, alter, or amend any certificate, if it shall be made to appear that the holder has willfully violated or refused to observe orders, rules, or regulations prescribed by the commission, provisions of the Motor Vehicle Carrier Law, or any other law of this State regulating motor carriers for hire and applicable to the

holder of such certificate, or, if, in the opinion of the commission, the motor carrier holding a Certificate of PC&N is not furnishing adequate service or it is no longer compatible with the public interest to continue said certificate in force, or, if in the opinion of the commission, the motor carrier holding a Certificate of FWA is no longer furnishing adequate service, or said carrier no longer meets the fit, willing, and able criteria....” 10 S.C. Code Ann. Regs. 103-240 (2012).

9. That “[t]he commission may, after a hearing, order the suspension, revocation, alteration, or amendment of any certificate issued pursuant to Articles 1 through 11 of this chapter, if it is proved that the holder of the certificate wilfully made any misrepresentation of a material fact in obtaining his certificate or wilfully violated or refused to observe the laws of this State touching motor vehicle carriers or wilfully violated any of the terms of his certificate or of the commission's proper orders, rules or regulations. But the holder of the certificate has the right of appeal to any court of competent jurisdiction. The commission must not be a party to any appeal.” S.C. Code Ann. § 58-23-320 (2015).

10. That the information listed in Exhibit A is the mailing address for each carrier on file with the Commission and ORS and the information listed in Exhibit A was provided by each carrier listed in Exhibit A. See Exhibit A, Carriers Out of Compliance for Non-Payment of Decal Fees. See Exhibit B, Affidavit of Carole Chauvin.

WHEREFORE, ORS respectfully requests that the Honorable Commission:

1. Provide for the opportunity by the carrier to respond to the allegations of this Petition within (30) days from the date of the receipt of this Petition;
2. Schedule and conduct a formal administrative hearing as soon as practicable to address disputed issues of fact and law regarding the Certificates of PC&N of the carriers listed in Exhibit A, which ORS seeks to have revoked by the Commission in this action pursuant to 10 S.C. Code Ann. Regs. 103-240 (2012) and S.C. Code Ann. § 58-23-320 (2015);
3. Following the formal administrative hearing, immediately rule to revoke the Certificates of those motor carriers listed in Exhibit A in accordance with the authority provided to the

Commission under 10 S.C. Code Ann. Regs. 103-240 (2012) and S.C. Code Ann. § 58-23-320 (2015) and thereafter immediately enter a final Order; and,

4. For other appropriate action which the Commission may deem necessary.



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August 25, 2020
Columbia, South Carolina

Exhibit A - Carriers Out of Compliance for Non Payment of Decal Fees
August 25, 2020
Docket No. _____

EXHIBIT A
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No.	Docket No.	CERT TYPE	NAME	DBA	ADDRESS	CITY	STATE	ZIP CODE
1	2018-174-T	Class C Charter	A. Best Enterprises LLC	Columbia, SC Charter Service	205 Summit Ridge Cir	Columbia	SC	29229
2	2011-368-T	Class C Taxi	Aiken Taxi Transport, LLC		310 Beaufort St NE	Aiken	SC	29801
3	2016-363-T	Class C Non-Emer	Ambu-Sure LLC		297 Foxhall Rd	Spartanburg	SC	29306
4	2016-362-T	Class C Stretcher Van	Ambu-Sure LLC		297 Foxhall Rd	Spartanburg	SC	29306
5	2018-160-T	Class C Non-Emer	Appealing NEMT Transportation LLC		411 Lillfield Dr	Elgin	SC	29560
6	2014-333-T	Class C Non-Emer	Apple Transport, LLC		PO Box 446	Blythewood	SC	29016
7	2019-228-T	Class C Non-Emer	Banks Resources, LLC		5624 Executive Center Dr Ste 145	Charlotte	SC	28212
8	2017-93-T	Class C Taxi	Bernard J. Daley	Bernard & Corrine's Taxi	2919 Alabama Dr	Charleston	SC	29405
9	2006-390-T	Class C Taxi	Bridget Rogers	A & B Taxi	954 Sheep Island Rd	Summerville	SC	29483
10	2016-409-T	Class C Non-Emer	Bright's Care, LLC		PO Box 61087	N. Charleston	SC	29419
11	2011-382-T	Class C Taxi	Burgandy Taxi Service, Inc.		535 Clyburn Ave	Hartsville	SC	29550
12	2009-370-T	Class C Charter	C & D Limo Service, LLC		PO Box 13864	Charleston	SC	29422
13	2009-280-T	Class C Non-Emer	C and J Transportation, LLC		23 Ball Park Ln	Chesterfield	SC	29709
14	2019-155-T	Class C Non-Emer	C. Alexandra Transportation, LLC		402 Ron McNair Blvd	Lake City	SC	29560
15	2018-404-T	Class C Taxi	Charles Ross	Paradise Luxury Taxi	4939 Nesbitt Ave	N Charleston	SC	29405
16	2013-347-T	Class C Charter	Charleston-Airport-Shuttle.com LLC	Charleston Cab Company	2008 Vestry Dr	Charleston	SC	29414
17	2016-403-T	Class C Charter	Cher-Lene, LLC	Pawleys Island Rides	9185 Ocean Hwy	Pawleys Island	SC	29585
18	2003-350-T	Class C Taxi	Cynthia Clyburn	City Cab	986A Park Rd	Cassatt	SC	29032
19	2014-303-T	Class C Taxi	Edward Ramey	Flash Cab	829 9th Ave S Unit 62	N Myrtle Beach	SC	29582
20	2016-285-T	Class C Taxi	Fitzgerald Peterson	Kay's Taxi Service	601 W Washington St Apt C1	Hartsville	SC	29550
21	2016-405-T	Class C Taxi	George C. Mclean, Jr.		512 Beaver Dam Ct	Darlington	SC	29532
22	2005-222-T	Class C Taxi	Gerald Francis Wood		PO Box 15051	Surfside	SC	29587
23	2013-121-T	Class C Charter	Ingoni's Limo Service, LLC		8742 Salamander Rd	N Charleston	SC	29408
24	2017-75-T	Class C Non-Emer	J & M Transportation, LLC		8175 Black River Rd	Fernbert	SC	29128
25	2002-143-T	Class C Charter	Jacob Myers, Jr.	Jake's Imperial Limousine Service	5238 Good St	N Charleston	SC	29406
26	2018-94-T	Class C Charter	JNM Palms, LLC	Mojet Limo	PO Box 20561	Charleston	SC	29413
27	2015-121-T	Class C Taxi	Kenneth Lee Johnson	Kenneth's Taxi	736 Meetinghouse Rd	Hopkins	SC	29061
28	2010-284-T	Class C Non-Emer	Lewis Safe Care Transportation Services, LLC		56 SweetThorne Cir	Irmo	SC	29063
29	2013-284-T	Class C Taxi	Melvin Wright		303 Creek Dr	Quincy	SC	29506
30	2007-406-T	Class C Charter	MK Co's Charleston, LLC		2512 21st St	Astoria	NY	11102
31	2013-246-T	Class C Non-Emer	Morant, Inc.	Morant Transportation	PO Box 90106	Columbia	SC	29290
32	2008-439-T	Class C Charter	Most Wanted Transportation, LLC		122 Tabby Creek Cir	Summerville	SC	29486
33	2014-229-T	Class C Non-Emer	MXM Investments, LLC		107 Jeffrey St	Darlington	SC	29532
34	2006-398-T	Class C Taxi	Nathaniel Streaks		1 Edenwood Ct	Charleston	SC	29407
35	2010-288-T	Class C Non-Emer	Parks Medical Transportation Ltd Co		320 Robertson Blvd	Walterboro	SC	29488
36	2018-83-T	Class C Charter	Party Time Transportation & Services, LLC		164 Otis St	Greenville	SC	29605
37	2017-261-T	Class C Non-Emer	Penny Dixon	T-Way Transportation	1871-102 Springsteen Rd	Rock Hill	SC	29730
38	2017-268-T	Class C Non-Emer	People's Choice Transit, LLC		417 S Lee St	Bishopville	SC	29010
39	2013-173-T	Class C Non-Emer	Purvis Services LLC		1664 Lake Wateree Dr	Florence	SC	29501
40	2012-418-T	Class C Non-Emer	R and E Medical Transportation, LLC		9 Carson Dr	Charleston	SC	29407
41	2012-282-T	Class C Charter	R and R Limousine Service, LLP		1707 Eallystockert Rd	Charleston	SC	29414
42	2017-375-T	Class C Taxi	Randolph A. Robinson		712 N Bradford St	Florence	SC	29506
43	2015-174-T	Class C Non-Emer	Rivers Transportation, LLC		PO Box 335	Shawnee	SC	29518

Exhibit A - Carriers Out of Compliance for Non Payment of Decal Fees
August 25, 2020
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EXHIBIT A
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44	2017-39-T	Class C Charter	Robert L. Settles	Settles Services	1367 W Martin Town Rd	North Augusta	SC	29860
45	2019-34-T	Class C Non-Emer	Rogers Transportation LLC		954 Sheep Island Rd	Summerville	SC	29486
46	2011-488-T	Class C Charter	Ron Smith	Smith Transportation Service	1860-B Little Smith Rd	Wadmalaw Island	SC	29487
47	2000-481-T	Class C Charter	S & S Services, Inc.		110 America St	Charleston	SC	29403
48	2017-101-T	Class C Non-Emer	S and SC Transport, LLC		PO Box 5015	Florence	SC	29501
49	1998-164-T	Class C Charter	Salbo Enterprises, Inc.	Limo Scene	152 Clovis Circle	Myrtle Beach	SC	29579
50	2007-250-T	Class C Taxi	Samuel Robinson		414 S Johns St	Florence	SC	29506
51	2019-79-T	Class C Charter	Segs By The Sea, Inc.	Coastal Carolina Tours	2922-A Howard Ave	Myrtle Beach	SC	29577
52	2013-141-T	Class C Taxi	Sergey Yermolayev	Convenience Serg. Taxi	1637 Mulberry St Apt D	Charleston	SC	29407
53	2014-344-T	Class C Non-Emer	Shoreline Medical Transport LLC	Shoreline Medical Transport	452 Browns Cove Rd Ste B	Ridgeland	SC	29936
54	2012-185-T	Class C Taxi	Steven L. Riddle	DUI Taxi	PO Box 212896	Columbia	SC	29221
55	2018-127-T	Class C Charter	The Wave Xpress, LLC		184 Bear Dance Rd	Myrtle Beach	SC	29588
56	2009-13-T	Class C Taxi	Tonya R. Johnson		712 N Bradford St	Florence	SC	29506
57	2012-430-T	Class C Taxi	Tony's Taxi, LLC	Always Available Taxi	PO Box 85702	Lexington	SC	29073
58	2016-55-T	Class C Non-Emer	True Care Transportation LLC		1186 Dirty Branch Rd	Conway	SC	29527
59	2015-158-T	Class C Non-Emer	V & C Transport LLC		5600 Augusta Rd Ste C	Greenville	SC	29605
60	2000-310-T	Class C Taxi	Williams Limousine Service LLC	Williams Transportation	1522 Bexley St	N Charleston	SC	29405
61	2014-230-T	Class C Taxi	Yahya Abdussabur		107 Lobolly Dr	Moncks Corner	SC	29461
62	2001-169-T	Class C Charter	Zimco Transportation Services, Inc.		PO Box 159	Sumter	SC	29151

EXHIBIT B

BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

DOCKET NO. _____

August 25, 2020

IN RE: Petition of the Office of Regulatory Staff to Revoke
 Certificates of Public Convenience and Necessity of
 Certain Motor Carriers for Non-Payment of Decal
 Fees

AFFIDAVIT OF
 CAROLE CHAUVIN

The Affiant, after having been first duly sworn, deposes and states as follows:

- 1) My name is Carole Chauvin and I am employed by the Office of Regulatory Staff ("ORS") as a Program Specialist for the Transportation Department.
- 2) My office is located at 1401 Main Street, Suite 900, Columbia, South Carolina, 29201.
- 3) My duties and responsibilities as a Program Specialist for ORS include serving as custodian of records for business filings associated with motor vehicle carriers subject to the jurisdiction of the Public Service Commission ("PSC").
- 4) It is the regular business practice of ORS to maintain certain business records required to be filed by motor vehicle carriers that are subject to the jurisdiction of the PSC.
- 5) As a result of my duties and responsibilities, I have knowledge of the manner in which the books and records are kept and of any books or records which are not complete or which are not on file with ORS.
- 6) On August 25, 2020, I examined the business records on file with ORS.
- 7) As a result of that examination, I attest that the License Decal Application Form(s) and appropriate license decal fee(s) as required by S.C. Code Ann. § 58-23-560 (2015) have not been filed with ORS by the following carriers as of August 25, 2020: (See attached list)

AND FURTHER THE AFFIANT SAYETH NOT.

Carole Chauvin

Carole Chauvin
Program Specialist, Transportation Department
Office of Regulatory Staff
1401 Main Street, Suite 900
Columbia, S.C. 29201

Sworn and subscribed before me
this 25th day of August, 20 20

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Notary Public for South Carolina

My Commission Expires: 10/16/2027